REMARKS

The Examiner's action of December 3, 2009 is noted and Applicant has amended the independent claims to more specifically recite what is in fact detected.

What is in fact detected is the change of the local static electric field at the sensor due to the passage of a round by the sensor.

Nowhere is this shown or taught in the references of record.

The Examiner cites Hilliard et al. to show that sensors sense an electromagnetic field. An electromagnetic field is one that has periodicity, i.e. a frequency.

What is sensed by the subject system is the change of the local static field which does not have any periodicity, but can rather be viewed as kind of a "bump" in the sensed static field over time.

It is noted that the Hilliard et al. system assumes an active electromagnetic signal generator. There is no equivalent of this in a round passing through the earth's atmosphere. Certainly there is no periodic signal generated by the round which is detected by the subject system.

Nor would such be obvious because up until the present invention it was not obvious that the presence of a projectile or round could be sensed at all, much less based on changes in local static electric fields.

It is Applicant's view that the independent claims are free of the Hilliard et al. reference which also makes the dependent claims patentable. The Foxlin et al. reference adds nothing to this teaching, but is rather directed to dependent claims 2 and 3. Since it

is Applicant's contention that the independent claims are patentable, so will be the dependent claims.

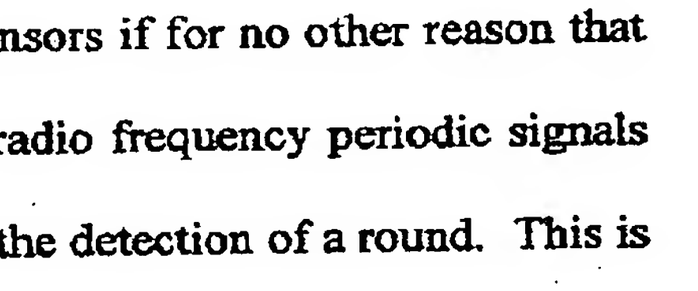
The same argument goes for Claim 6 and Claims 7-11, it being noted that the Kaminski reference adds nothing to the teachings of Hilliard et al., at least in terms of electric field sensors.

To the extent that the Examiner says Kaminski relates electric field sensors, antennas 12, 14 and 16 do not constitute electric field sensors if for no other reason that their outputs are filtered by a "RF" filter. RF refers to radio frequency periodic signals and the sensors claimed do not detect periodic signals in the detection of a round. This is because the round does not produce a periodic variation of the static electric field at an electric field sensor.

In view of the faihure of Hilliard et al. to measure what Applicant is claiming, namely the variation in a local static electric field, Hilliard et al. do not anticipate the claimed invention. Nor would the claimed invention be obvious over Hilliard et al.

Allowance of the claims and issuance of the case is earnestly solicited. Alternatively, entry of this Amendment for purposes of appeal is requested.

Respectfully submitted,



Robert K. Tendler
Reg. No.: 24,581
65 Atlantic Ave.
Boston, MA 02110
617-723-7268

Date: March 2, 2010